

K. Currie
THE
4470.aa.24
OVERTURE considered;

. O R,

Q U E R I E S

A N E N T T H E

Assembly's Overture,

Concerning the

Method of planting vacant Churches,
transmitted to Presbyteries
for their Remarks, May 14th,
1731;

I N A

LETTER to a Member of the en-
suing General Assembly.

By Mr John Currie Kinross

EDINBURGH,

Printed by Thomas Lumisden and John Robert-
son in the Fish-market Cloff; And sold by
John Traill Book-seller, at his Shop in the
Parliament-clofs, and at John Briggs Mer-
chant his Shop in the Lucken-booths.

M.DCC.XXXII.

Price Sixpence.

*A LETTER from the undersubscribing
Reverend Ministers of the Gospel, to the Au-
thor of this Paper.*

R. D. B.

Understanding that you are about this Time to print and publish your Thoughts upon the last Assembly's Overture, anent planting vacant Parishes, in a Paper intituled, *The Overture considered; or Queries anent the Assembly's Overture concerning the Method of planting vacant Churches, of the Date May 14th, 1731.* According to the Scheme you was pleased to communicate to us, in some late Conversations we had severally with you on that Subject, we give you this Trouble, offering it as our Opinion, That you should subscribe your Name to the Performance; in regard we understand, that when Things of that Nature come abroad from *anonymous* Authors, Enemies to the good Cause therein contended for, are ready to alledge, That the Authors are ashamed of them, and dare not venture to undertake the Defence of their Principles, or that they are done by Enemies to our Constitution, under the Mask of Friends, that thereby they may embarrass us, and give a Wound to our Interest. And, as we hope you have managed the Question, so as you need neither be ashamed to own it, nor afraid of any Thing can be advanced against you; so we hope it will contribute to open People's Eyes, as to the Nature and Tendency of such an Act as is proposed in that Overture, as well as be a standing Testimony from you against the Encroachments made at this Day upon the Rights of the Church of Christ to chuse their own Pastors. This from

Your Aff. By JOHN M'CLAREN.

NEIL M'VICAR.

Edr. March 8th,



GEORGE FREER.

1732.

EBENEZER ERSKINE.

MUSEUM

WILLIAM WILSON

JOHN SQUIRE.

LA. M'INTOSH.

ROB. LAING.

ALEX. MONCRIEF.



ACT and OVERTURE concern-
ing the Method of planting vacant
CHURCHES.

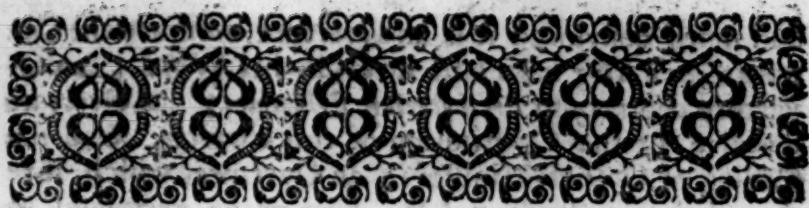
Edinburgh, May 14. Post Meridiem, Sess. 9.

THE General Assembly considering the Incon-
veniencies and Divisions that have arisen in
planting of vacant Parishes, occasion'd partly by
Presbyteries not following an uniform Method in
supplying Vacancies with Gospel-Ministers; and,
that those Evils may be in Part remedied and pre-
vented, they appoint, That Presbyteries, when the
Planting of any Parish falls into their Hands,
tanquam jure devoluto, take Care to have the
same supplied with a well qualified Gospel-Mini-
ster to labour amongst the People for their spiri-
tual Edification: And, in order thereunto, they
shall appoint one or more of their Number to meet
with the Heritors, being Protestants, and the El-
ders who represent the People, that they may e-
lect and call one to be their Minister, whom they
are to propose to the whole Congregation, to be
either approven or disapproven by them; and the
Disapprovers to offer their Reasons to the Pres-
bytery of the Bounds, at whose Judgment, and
by whose Determination, the Calling and Entry of
a Minister is to be ordered and concluded. And,
when the like Case happens in Royal Burghs, that
the Call or Election be by the Magistrates, Town-
council and Kirk-session, where there is no Land-
ward

ward Parish; and, where there is a Part of the Parish in Landward, the Call or Election shall be by the Magistrates, Town-council, Kirk-session and Heritors of the Landward Parish.

And, that there may be no unnecessary Delays in planting of Churches, the Assembly further ordain, That Presbyteries, when applied unto, within the six Months after the Vacancy for supplying thereof, by Consent of the Patron, and others concerned, shall forthwith proceed to the Planting of the vacant Charge, in the Manner and Way above-specified, without putting off till the six Months be elapsed: And the Assembly recommends to all Ministers, Preachers and Members of this Church, To take Care that they do not encourage, or go in to, any Method for planting vacant Churches, contrary to, or inconsistent with, this Rule.

The General Assembly do transmit this Overture to the several Presbyteries of this Church, that they may return their Opinion to the next Assembly, whether it shall be turned into a standing Act. And the General Assembly do enjoin Presbyteries, in the mean Time, to observe it until the next Assembly. And, in case Presbyteries shall neglect to send up their Opinion upon it, the General Assembly do appoint the Overture to be laid before the next General Assembly, to be passed into a standing Act, or not, as they see Cause.



Q U E R I E S

ANENT THE

Assembly's Overture,

Concerning the

Method of planting vacant Churches, of the Date *May 14. 1731*;

IN A

LETTER to a Member of the ensuing General Assembly.

Reverend Sir,



Hereas, at our last Interview, you seemed extremely fond of the Assembly's Overture anent planting vacant Churches, of the Date *May 14. 1731.* as adapted to put an End to our Differences about that Affair: As then our Sentiments differed anent the Goodness and Justness of that Overture; so, after taking it to more serious Consideration, I am more
and

and more convinced it is an Overture contrary the Canons *Zion's King* hath laid down in his Word ; an Overture contrary to *Presbyterian Principles* ; an Overture everfive of the Constitution of this Church, as to the Calling of Gospel-Ministers ; an Overture, which, if returned into a standing Act, may prove very fatal to her ; and an Overture, which will increase our Difference in supplying Vacancies, rather than be a Remedy against them. The Grounds of my Aversion are hinted in the following Queries, to which I desire your Answer with the first Conveniency : And, being chosen a Member of the ensuing *General Assembly*, where that Overture is to be under Deliberation, you are the more obliged to enquire into, and have your Thoughts upon, the Subject.

Query I. " Is not this Overture worse than the Overtures for planting vacant Churches transmitted to Presbyteries for their Remarks by the General Assembly 1719, which, with the Overtures of the Commission of the same Date, were rejected by the Assembly 1720?" To me it is worse in sundry respects, 1st, Worse, as those Overtures bear an express Testimony against the Act of Parliament restoring Patronages. For, immediately after mentioning the Law restoring to *Patrons* the Power of Presentation, these Overtures affirm, *The Patron's Power of Presentation, is a Grievance which this Church hath always complained of from the Reformation* : Whereas, the present Overture is so far from this, that in my Opinion it bears a plain Approbation of the *Patron's Power*; while it says, *Presbyteries, when applied unto within the six Months after the Vacancy, for supplying thereof, by Consent of the Patron and others concerned, shall forthwith proceed to the planting of the vacant Charge, &c.* For, hereby Presbyteries are bound up for at least the Space of six Months, after the Vacancy, from proceeding to supply it, tho' the whole Parish, Heritors, Elders, and every other Person in the Congregation, should unanimously apply for a Moderation or Settlement, unless the Patron consent also. 2^{dly}, It is worse, in regard these Overtures requi-

required the formal Moderation of a Call, and Preaching by a Minister before that Moderation ; as also due and timeous Intimation thereof, *That all concerned might be advertised to attend thereat* ; whereas none of these are required by this Overture, which only enjoins *one or more of the Presbytery be appointed to meet with the Heritors and Elders*. The Meeting may be in a Tavern or any private House, and it may be called at a Juncture when it is known sundry cannot attend, a Nick of Time may be taken when some are necessarily from Home, or the like. 3dly, Worse, in regard those Overtures required *Elders to try the Inclinations of Heads of Families, and also of other Persons of good Reputation in the Parish, and to have a Regard thereto in their Choice of a Minister* ; and, in Case there was not an Eldership, the Presbytery was enjoined *to sound the Inclinations of the People* : Whereas, this Overture mentions not the least Regard unto the Inclinations of the People, whether Heads of Families or others. 4thly, Worse, in respect those Overtures enjoined, *That special Regard should be had to such Heritors as are well affected, and join in Communion with this Church* ; but nothing like this in the present Overture : If Heritors, be they well or ill affected, it matters not, Heritage is enough. 5thly, Worse, in Regard those Overtures enjoined Presbyteries, albeit neither Heritors, Elders nor People should at their Desire, give in a List of Persons, some of whom they designed to call, that yet before proceeding to Settlement upon the *jus devolutum*, they should *use Means, and be at all Pains to know the Inclinations of the People*, as well as of the Heritors, and *to obtain their Consent unto the Person whom the Presbytery most inclined unto, before they gave a Presbyterial Call unto him* ; And, all this was, as those Overtures express it, *In Order to the comfortable Settlement of the vacant Parish with their own Good-liking and Consent* ; but nothing like these in the present Case. And in nothing were those Overtures worse than this, except in giving the Heritors a temporary Negative over the Elders : For, according to those, no Call could be attested, nor Settlement made, without a Majority of Heri-

tors, till dealt with for their Consent, and till the Advice of the Synod was had in the Affair.

Query II. "Seeing in many Parishes through Scotland Heritors are supernumerary to Elders, and so by this Overture chiefly the Callers of Gospel-Ministers, (it being the Doctrine of the Church of Scotland, That the Policy of the Kirk should lean immediately upon the Word, as the only Ground thereof, and should be taken from the pure Fountain of the Scripture?") I ask, If there be any Thing in all the Book of God, any Text in all the sacred Oracles, favouring this Right in Heritors, more than others of an inferior Rank? Our Divines affirm, as the Calling of Gospel-Ministers is not the least of the Church's Privileges, so 'tis an Affair of great Weight and Moment, a capital Point, a Thing on which the Safety of the Church dependeth, and a Concern of the last Consequence to immortal Souls; and therefore surely our Lord Jesus Christ, who was faithful in all his House, hath determined in his Word, who shall be the Callers: For, who shall be the Electors, is not a bare Circumstance of Time or Place, nor is it any of those natural and civil Circumstances without which Actions are not performable, and must be ordered by the Light of Nature and human Prudence, according to the general Rules of the Word, admitting of Variation. The Church of Scotland in her second Book of Discipline, to which we stand solemnly engaged says, (a) *The Power and Policy of the Kirk should lean upon the Word immediately, as the only Ground thereof, and should be taken from the pure Fountain of the Scriptures; the Kirk bearing the Voice of Christ, the only spiritual King, and being ruled by his Laws.* Now, the Election of Gospel-Ministers is a Part, and surely a very considerable Part, of the Policy or Discipline of the Kirk; hence the 3d Chapter of that Book treats of the Way how Persons that bear Ecclesiastical Function are to be admitted to their Office: But, if the Scripture give no Direction in the Affair, how shall this Part of the Policy lean immediately upon the Word?

Word? How shall it be taken from the pure Fountain of the Scripture, if that Fountain be empty, containing nothing anent it? How shall the Kirk hear the Voice of Christ, if he hath not opened his Mouth upon the Subject? How shall she take his Law for her Rule, if he hath published no Law upon this Head to walk by? And again, in that Book (b) 'tis affirmed, "That the Practice of the apostolical and primitive Kirk craves, "That none be intruded upon any Congregation, either by the Prince, or any inferior Person, without lawful Election, and the Assent of the People over whom the Person is placed:" And is it not our Doctrine, that approved *Apostolick Practice* is equivalent to a Scripture-precept for our Direction? Else what Authority have we for Observation of the *Lord's Day*, and not the *Jewish Sabbath*? And again, that same *Book of Policy or Discipline*, when speaking of *Patronages*, says (c) "And forasmuch as that Manner of Proceeding, "hath no Ground in the Word of God, but is contrary to the same, and to the Liberty of Election, "they ought not now to have Place in this Light of Reformation; And therefore whosoever will embrace God's Word, and desire the Kingdom of his Son Christ Jesus to be advanced, they will also embrace and receive that Policy and Order which the Word of God and upright Estate of this Kirk crave; otherwise it is in vain that they have professed the same." Now, 'tis as plain from that Book, as Two and Three make Five, that the Church of Scotland has declared, God's Word directs us, and is to be our only Rule as to the Electors of Gospel-Ministers; and that 'tis a going directly contrair to the Word of God, to settle any Person, tho' the Prince himself, or greatest Heritors of the Kingdom, should be for him, *without lawful Election, and the Assent of the People*. Again, our *Confession of Faith* affirms, "That the whole Council of God, concerning "all Things necessary for his own Glory, Man's Salvation, Faith and Life, is either expressly set down "in

(b) Chap. 12. Par. 10. (c) Chap. 12. Par. 11.

“ in Scripture, or by good and necessary Consequence
 “ may be deduced from the Scripture.” And surely,
 the *Glory of God*, and *Salvation of Souls*, are nearly con-
 cerned in the Election of Gospel-Ministers. *Is it not to*
the Law and Testimony we are to have our Recourse for
Direction in this Point? It hath long been a Contro-
 versy between *Protestants* and the Church of *Rome*,
 Whether the People have a Divine Right to elect their
 own Pastors? And it is for Lamentation the Prote-
 stant Doctrine on this Head is impugn’d in the Church
 of *Scotland* at this Day, and that by some who are
 called by Office specially to plead for it. Well,
 how shall this be decided? The Protestant Doctrine
 is, *That the Scriptures are the supreme Judge of Contro-*
versies: And particularly, this is the Doctrine of the
 Church of *Scotland*, in her *Confession of Faith*, (c) in
 which it is asserted, “ The supreme Judge, by which
 “ all Controversies of Religion are to be determined,
 “ and all Decrees of Councils, Opinions of ancient
 “ Writers, Doctrines of Men and private Spirits are
 “ to be examined, and upon whose Sentence we are
 “ to rest, can be no other but the Spirit speaking in
 “ the Scripture.” *Patronages* are condemned by the
 Church of *Scotland*, as having no Foundation in the
 Word of God. And, I am certain, ’tis tully as easy
 to prove the Lawfulness of them from Scripture, as
 from it to prove, that Heritors, *qua* Heritors, should
 have a Vote in the Calling of Gospel-Ministers; yea,
 the Scriptures are so far from approving hereof, that,
 in my Opinion, they plainly condemn the same, as,
James 2. 1, 2, 3, 4. when they condemn the *Having*
the Faith of our Lord Jesus, the Lord of Glory, with Respect
of Persons; and the shewing Respect in spiritual Pri-
 vileges to such as have the *Gold-ring, the goodly Apparel,*
and gay Clothing. Judicious Caryl, commenting on these
 Words, says, “ In administering the Things of God,
 “ which are spiritual, we must observe no Distinction
 “ among Men; Christ hath given alike, and equally,
 “ to

“ to Rich and Poor, to Bond and Free; and there-
 “ fore, as to Church-Privileges, all must be alike,
 “ and equal to us: No Man is to be known after the
 “ Flesh in the Things of the Spirit; no Man is to be
 “ valued merely upon natural or wordly Accounts.”
 And the *Continuator of Pool's Annotations* upon the
 Place, condemns the respecting of Men in the Things
 of Religion, upon such Accounts as are extrinsical to
 Religion. In Matters of Religion, Rich and Poor,
 Heritors and others stand upon a Level. It would be
 good for the Church of Scotland, at this Juncture, all
 her constant and ordinary Members of *Commission*
 would join with the *full Vindication of their Overtures*,
 and plead, as that Vindication doth, namely, “ That
 “ there is no Settlement of the Church, that we are to
 “ pay any Regard unto, but that which was made in
 “ the Apostolical Times, and is to be found in the
 “ New Testament. (a) No Doubt, the Decrees and
 “ Determinations of Church-judicatories, as our *Con-*
 “ *fession* says (b), when consonant to the Word of
 “ God, are to be received with Reverence and Sub-
 “ mission; and that, not only for their Agreement with
 “ the Word of God, but also for the Power whereby
 “ they are made, as being an Ordinance of God, ap-
 “ pointed thereunto in his Word: But, if Men, un-
 “ der the Name of a Council, pretend to forge unto
 “ us new Articles of our Faith, or to make Constituti-
 “ ons repugning to the Word of God;” Then, as is
 asserted in our *old Confession of Faith*, to which we are
 solemnly engaged by our National Covenant, “ Utterly
 “ we must refuse the same as the Doctrine of Devils,
 “ which draweth our Souls from the Voice of our
 “ only God, to follow the Doctrine and Constitutions
 “ of Men (c).” And even the *Commission's Overtures*
 transmitted to Presbyteries 1719, as they pretend to
 be in a Conformity to the Book of Discipline, agreed
 upon in the Assembly 1578. so, in the Introduction to
 these Overtures, they say, *The Principles and Constitu-*
tions

(a) *Pag. 28.* (b) *Chap. 31, Par. 3.* (c) *Article 20.*

tions of this Church, as laid down in that Book, are agreeable to God's Word; whereby I think they intimate, the Word of God is to be the Rule ruling, in laying down Constitutions for the Church to walk by. I know, some among us, when they could not from any Thing in Scripture vindicate the giving a Vote to Heritors, more than others; and when they could not answer the Arguments adduced from *Apostolick Practice* in the New Testament, for the People's Right to elect their own Pastors, have fled to the *Romish* Refuge, namely, "That, tho' the People had the Choice of their Church-officers in the Apostles Days, yet that says nothing to constituted Churches now, because the Church was then in an unsettled State." But, as the *full Vindication of the Commission's Overtures* says, (d) "without the highest Reflexion on the Apostles of Christ, who remain'd with the Church, not only in the Heat of fiery Trials, but also in the Time of Peace, when the Churches had Rest throughout all Judea, and Galilee, and Samaria, Acts 9. 31." I say, without the highest Reflexion on them, "As careless of their Lord and Master's Interest, it cannot be imagin'd, they would leave his Church in such irregular Circumstances, and have neglected to settle its Constitution." And further, as that *Vindication* adds, "This Objection gives the deepest Wound to all Ecclesiastical Government, that lays Claim to a Divine Right; for, if under a Pretence, that Matters were then but in an unsettled State, we may not safely argue, and draw the just Measures of what should obtain in all Ages, from the Example and Rules of the Apostolical Churches, and the Practice of that inspired Age (if I may so call it.) I believe our material Reasons for a Divinely instituted Ecclesiastical Government will be enervated, and we must next degenerate into *Erastianism*."

And, to conclude this *Query*, If the Lord's People have not a Right from Christ in his Word, a *Divine Right*

Right to elect their own Pastors, then all our worthy Reformers, and all our Protestant Divines since the Reformation, who have written against Romanists, have been a Company of weak, ignorant Men, who knew not the Scriptures; or, which is worse, have been a Company of most abandoned Wretches, who argued from the Scriptures against their own Light, seeing all of them have still argued from the Word of God for the People's Right in the Affair. *Tell it not in Gath (a).* This will make the Hearts of Papists to rejoice; the Priests may tell their People, That Protestant Ministers are now turning in to their Camp, as to an Affair, for which, in all Ages, their Ministers and Professors of Divinity, since the Reformation, have contended, *tanquam pro aris & focis*, still affirming, *Their People had a Right from Christ in his Word to chuse their own Pastors*; and that *their Election might stand for Ordination, in the Exigency of a total Want of true Ministers, to ordain them.* For, as Professor Jamison says, *The People's Divine Right to chuse their Pastors is a Truth for which our first Reformers earnestly strove, as soon as they were sent forth to fight the Battles of the Lamb against the Dragon.* And also, they may tell them, Now Protestant Ministers are turning in to their Camp as to another Point of great Moment, namely, *The Perfection of the Scripture*; seeing they affirm, the Scripture gives no Direction as to the Calling of Gospel-Ministers, which formerly they used to call a Matter of great Moment; so that now, the Patron alone, for any Thing the Scripture says, hath as much Right to elect the Pastor, as all the People of the Parish, tho' in all former Ages they still complained of Patronages as a heavy Grievance, contrary to God's Word, and a robbing the People of that Right Christ hath given them in the Scripture. And here, besides the Church of Scotland, I might have cited sundry Protestant Writers, Churches and Councils, declaring their Belief of this, that the Word of God directs in this Affair; as particular, the London Ministers,

B

who,

(a) 2 Sam. 1. 20.

who, as the *full Vindication of the Commission's Overtures* says, made such a Figure in the Westminster Assembly, in their *jus divinum regiminis Ecclesiastici* (a) assert, "That the Lord Jesus Christ is most faithful in all his House, the Church, fully to discharge all the Trust committed to him, and completely to supply his Church with all Necessaries, both to her Being and and Well-being Ecclesiastical." And, I'm sure to determine who shall be the Callers is necessary, if, not to the Being, yet to the Well-being, and comfortable Being of his Church. And again, they say (b), "As the Word of God declares unto us who are Church-officers, viz. Pastors and Teachers, Ruling-elders and Deacons; so the Word of God declares how those Officers are to be qualified for, and externally called unto, their respective Offices." The Belgick Churches in the united Provinces, in the 31 Article of their Confession, say, *We believe Ministers of God's Word, Elders and Deacons, ought to be chosen to their Function by lawful Election of the Church, with Invocation of the Name of God, and in that Order which is taught in the Word of God.* As this Confession used to be read and sign'd in all the Assemblies of the Belgick Churches, so it was signed by the 12th National Synod of the Church of France in 1583. And also, it was unanimously sign'd by the famous Synod of Dort.

Query, III. Whether is the Calling a Gospel-Minister a Civil, or is it a Spiritual, Ecclesiastical Privilege? If a Spiritual, Ecclesiastical, Religious Privilege, as our Divines affirm, then the Overture is to be condemned, for giving this Privilege on the Account of Heritage; for it cannot be denied but spiritual Privileges belong as much to the Poor as to the Rich, and they cannot be bought with Money, more than the Gift of the Holy Ghost: For which, when Simon-Magus offered the Apostles Money, Peter said unto him, *Thy Money perish with thee, because thou hast thought, that*

(a) Page 48. (b) *Vind. of Presb. Govern.* p. 5.

that the Gift of God may be purchased with Money (a) Indeed the Word of God commands to give Honour to whom Honour is due. And no Doubt civil Respect and Honour is due to Gentlemen according to their Birth or Blood, their secular Wealth or worldly Substance, their Parts, natural or acquired, their Place, Office, or Station in the World: Civility and Humanity oblige to this; Courtesy and Christianity agree well together. But, tho' Honour is to be given to whom Honour is due, yet no undue Honour is to be given the highest or most honourable breathing. The Office of the holy Ministry is honourable, and to be magnified. It is a high Dignity to be an Ambassador of the King of Kings; Yet, would it not be highly provoking if any Church under Heaven should enact, That none but Heritors, or that Heritors more than others, should be advanced unto it? Or, if they should but enact, That every Heritor, whether qualified or not, should be ordained to the Office of a Ruling-elder; who, if he ruleth well, is worthy of double Honour (b)? Our worthy Reformers, and eminent Servants of Christ, who composed the first and second Books of Discipline; and the General Assembly 1649, who made Regulations anent the Calling of Gospel-Ministers, had all due Regard for Persons of Honour and Distinction; yet they never dreamed any such Regard was to be shown to Heritors, or Persons of higher Rank, as to give them a Suffrage beyond others in the Affair. And, why? but because they looked on this as a spiritual Privilege, and because they could see no Foundation for it in the Word of God. The famous learned Professor Voetius, when treating of calling Gospel-Ministers, says (c), "It is plainly a monstrous Thing, that an Ecclesiastical elective Power should succeed by hereditary Right; and it is more monstrous that it should be bought with Money: And, who ever heard it said in the New Testament or Old, That a Spiritual or Ecclesiastical

B 2

" Power

(a) Acts 8, 18, 19, 20. (b) 1 Tim. 5. 17. (c) Psal. Eccl. Part 2. p. 610, 623.

“ Power was joined with an Estate, Lordship or Lieutenancy, as a Shadow to the Body, so that the Estate should be the Subject or Vehicle of Power ? ” The judicious Mr. Park says (d), *The looking out, Nomination and Election of Gospel-Ministers, are all Actions of a Spiritual and Ecclesiastical Nature, and such as by the Holy Ghost are always given to the Church.* And he asserts, *The poorest and meanest Christian hath as good a Right to this Privilege of calling Gospel-Ministers as the richest Patron.* And surely a Patron, as a Patron, hath as good a Right to this Privilege, as any Heritor *qua* Heritor, or any by their civil Station in the World can pretend unto. And here many other eminent learned Divines might be cited, affirming this is a Spiritual, Sacred, Religious Action, and formally Ecclesiastical.

Query IV. “ Whether if this Overtrue be approved by the ensuing General Assembly, will it not be a virtual Obtrusion of Patronages on the Church of Scotland ? For my Part, I humbly think, it will ; and here I am not singular in my Opinion ; for, in the *State of the Case of Lochmaben-Settlement*, printed for vindicating the *Commission's* Conduct in that Affair, and for informing the *Assembly* in 1724, there 'tis asserted, *The Call by Heritors and Elders is nothing but an extended Patronage.* Patronages, as formerly hinted, have still been reckoned a Grievance by this Church, yea, and by all *Presbyterians* : And pray, for what ? but because they are a robbing the Christian-People of their Right to elect their own Pastors. Never any that wrote against them complained, as if they had been a robbing Heritors of their Right more than others ; no, this was never the Complaint nor Grievance. The learned *Calderwood* says, *'Tis an absurd Thing, that a Patron, who is but one Member of the Church, should claim that which is the Privilege of the whole.* (a) And the *Estates of Parliament* 1649 abolished Patronages, because an Evil and Bondage under which say they, “ The Lord's People and Ministers
“ of

(d) on Patron. Pag. 88. 90, 96. (a) *Alt. Damas.* Pag. 592.

“ of this Land have long groined, and because they have
 “ no Warrant in God’s Word, and because prejudicial
 “ to the Liberty of the People”. Now, tho’ it should
 be granted, which I do not, that Elders represent the
 People in calling Gospel-Ministers; yet, in many, if
 not in most, Parishes, through Scotland, Heritors are far
 more numerous than Elders, and so by the Overture
 are made Patrons in planting vacant Congregations; and
 hereby People are as effectually robbed of their Right
 as by the Presentation of a single Patron: And, as the a-
 bove-mentioned *State of the Case of Lochmaben-Settle-
 ment*, written in Vindication of the *Commission* in that
 Affair; so also the *full Vindication of the Commission’s Over-
 tures*, is of the same Mind, namely, *That the Call by
 Heritors and Elders is nothing but one extended Patronage,
 a virtual Obtrusion of Patronages under a fair Disguise,
 and a robbing the Christian People of their REAL PRI-
 VILEGE in the Call of Pastors*. For, while arguing
 for the Vote of *General-sessions*, in the Call of Gospel-
 Ministers to Cities, like *Edinburgh* and *Glasgow*, tho’ I do
 not meddle with the Debate anent the Vote of *General-se-
 sions*; yet, upon very just Ground, that *Vindication* says,
 (c) “ The Elders of particular Parishes are so few, that
 “ to lodge the Calling of Ministers solely in them, to-
 “ gether with the Town-council, were really making
 “ the Town-council Patrons, and in Effect establishing
 “ Patronages in Burghs by an Act of Assembly: Nor
 “ can a particular Session grapple with the Town-council,
 “ whether they vote seperately or conjunctly. All which,
 “ says that *Vindication*, might be illustrated at Length,
 “ were it proper.” Now, according to that Reasoning
 (which to me appears strong) as by this Overture Pa-
 tronages shall be established by an Act of Assembly in
 many, yea, I doubt not in most, *Burghs* of Scotland; so
 also by this Overture Heritors are made Patrons in many,
 if not in most, *landward Congregations*; they alone, or
 they and *Feuars*, who have been reckoned Heritors,
 being more numerous than the *Eldership*. And whereas
 that

that *Vindication* says, "Our worthy Fathers thought, "allowing the Magistrates and Town-council of such "or such a Burgh to vote, while only the Elders of "the particular Parish to which the Minister, was called "did vote with them, was a *dangerous Way* of calling "Ministers:" So, on the very same Ground we may justly affirm, the Method for calling Ministers proposed in this Overture, both in Burgh and landward Congregations is a *dangerous Way of calling Ministers*; and, as that *Vindication* expresses it, *a virtual Obtrusion of Patronages under a fair Disguise, and a robbing the Christian People, of their REAL PRIVILEGE.*

Query VI. "Though in calling Gospel-ministers, residing Heritors should be allowed a Suffrage beyond "others, whether is there any Reason for Granting, as "does this Overture, non-residing Heritors the same "Privilege?" I humbly think, this can never be accounted for; 'tis surely a Practice which cannot be justified, That such as are not Members of the Congregation, nor have Residence therein, should have as much to say in the Call of a Gospel-minister as any residing Member of the Congregation, who is to be of the Pastor's Charge. Sundry, in arguing against Patronages, plead from the *Topick* of the *Patron's Non-residence*; And the *Commission* of the *General Assembly* 1711, in their *Address* to *Queen Anne*, when the *Brittish* Parliament was about to rescind the Act against Patronages, among the former lamentable Effects or Abuses of those they particularize this, "That Ministers were often imposed upon Parishes, "by Patrons who were utter Strangers to their Circumstances having neither Property nor Residence in "them." And the *General Assembly* 1712, unanimously approved the whole of that Address as being *most faithful and seasonable*; and, in Token of their Approbation of every Sentence therein, ordained it to be insert *verbatim* in the Assembly's Register: And, if there was any Weight in the Argument of the Patron's *Non-acquaintance, with the Circumstances of the Parish*, and in his *Non-residence*, then to a Hair's Breadth, it is of the same Force as to non-residing Heritors.

ritors. The grand Argument pleaded for allowing Heritors a Suffrage beyond others, is their longer and more certain Residence in the Parish to which the Pastor is called : But, if there be any Strength in that Argument, then it is certain, such as are non-residing Heritors are cut off from this Privilege : And, to say, They may afterwards come and reside in that Congregation, to which the Minister is called, is what may be said of Hundreds : Nor is this to be thought, unless you suppose they shall be obliged for Payment of Debt or the like, to sell that Part of the Heritage where the principal Mansion is, which uses to be the Place of Residence : And, there is the same Reason and Ground to say, Residing Heritors may remove, as to say, Non-residing Heritors may come to dwell in such or such a Congregation, and so they shall be as moveable as others, and then the Argument of their surer Abode shall vanish. And whereas, some affirm, Tho' Heritors cannot be allowed a Vote, merely because they are Heritors; yet they are to be allowed a Suffrage beyond others, because they are *primores* or *principal Members* of the Congregation : But, tho' this should be of Weight in Congregations, where they reside; yet it says nothing for non-residing Heritors, who are so far from being principal Members, that they are not Members at all in these Congregations where they reside not, else one may be a Member of no Congregations at the same Time, than there are Sabbaths in the Year.

Query VII. " Tho' it should be granted, Heritors
 " of our Communion may be allowed a Suffrage beyond
 " others, I ask, If there be any Reason for allowing
 " this Privilege to Heritors not of the same Commu-
 " nion with us? " As does this *Overture* while it re-
 " quires no other Qualification of Heritors calling, but
 " that of being *Protestants*. The Church of Scotland hath
 " declared against this in her *Directory for electing Mini-*
 " *sters*, Assembly 1649, where it is enacted, " That the
 " " Disaffected and Malignant be excluded from the
 " " Choice of their own Pastors, and undoubtedly much
 " " more from the Election of Pastors to other Congre-
 " gations.

“gations.” Now, it is notour to all, that Heritors of the *Episcopal* Perswasion are disaffected and malignant with respect to the Constitution of the Church of *Scotland*, as generally it is well known they are malignant with Respect to the Government of our only lawful and rightful Sovereign King *George*, and the Protestant Succession in his Royal Family, being Favourers of a *Popish Pretender*; and even the Overtures transmitted to Presbyteries 1719, enjoin Synods to have a special Regard to such Heritors as are well affected and join in Communion with this Church. This of allowing Gentlemen, not of our Communion, a Suffrage in the Choice of our Pastors, is just as reasonable, as to allow the stated Enemies of the Government a Voice in the Election of Ministers of State, or in the Choice of Officers in our Armies or Navies, or in the Choice of Members of Parliament. Some talk, *This is the Way to gain them*: But, if so, pray why not allow *Popish Heritors* the same Privilege? We look not on them as guilty of the Sin against the *Holy Ghost*, more than others; why not use Means to gain them also? I have heard of some of them coming to hear Presbyterian Ministers at a Time. Means are to be used for gaining all, but I am far from thinking this is any Mean of God’s Appointment, or approved of him. Was the *Legislature* to enact that, for gaining such as may be Enemies to Gentlemens Families, That henceforth they shall be allowed a Voice in the Choice of Husbands to their Daughters, or in the Choice of their Physicians, in the Choice of their Lawyers, in the Choice of Tutors or Curators to their Children, or but in the Choice of their Chamberlains, Factors, Stewards, yea, or but of the very Shepherds of their Flock, all the World would think such Legislators had mistaken their Measures, acted against Reason, and evidenced but small Concern for the standing of Gentlemens Families; and is not the Case much the same here, yea, in some Respect far worse? And, whereas some few Instances are given, and indeed they are but rare, of Heritors, not of our Communion, who have been gained so far as to come to Church upon granting the

Choice

Choice of the Minister to them; I say, Where One hath been gained Hundreds have not. And, by that Method the Church of *Scotland* hath lost the Affection of many of her best Friends; and many of *Christ's little Ones*, many really religious, have been so stumbled and offended, as to desert the Ministry of such as were thrust in upon Congregations to please the greater Ones of the Earth, and Enemies of our Constitution, thinking they could not otherwise exoner their Consciences and give sufficient Testimony against such Settlements, doing what they judged proper for preventing, if possible, the like in Time coming. And, I am sure, this is a Method the *Apostles* of *Christ*, nor Churches in their Day, never took to gain the *Scribes* and *Pharisees*; the *Herodians*, *Lawiers*, nor *Rulers of the Jews*: And, for all that is talked of gaining such, I question if Instances can be given of such as by this have become true *Presbyterians* and cordial Friends to our Constitution; for my Part I know of none such. Is not the Church of *Scotland* exposed to the private Ridicule of those Gentlemen for granting this Privilege to them? and hath she not a sinful Hand in their acting below Gentlemen of Honour, Candour and Ingenuity, while in signing *Calls* to *Presbyterian* Ministers, they promise *all dutiful Respect, Encouragement and Subjection to their Ministry in the Lord*, while perhaps it is their fixed Purpose never to hear them so much as once in their whole Life; yea, may be are so bewitched with *Dodwelian* Principles, as to deny they are Ministers of *Christ*, or that they have any more Authority to preach his glorious Gospel, than any Herd-lad, because they want *Episcopal Baptism and Ordination*? Gospel-Ministers are designed *Builders* in God's Word; but, pray, what Builders will such chuse as long to see the Building laid in Heaps, and sapped to the very Foundation? And I cannot help thinking, nothing makes some more fond of their Suffrages at this Day than this, That, if there be any Competition, they are sure to have their Voices for such as are more lax and less zealous for the Interest of *Christ's Kingdom*,
 and

and our Presbyterian Constitution: For it cannot be Fear of disobliging those Gentlemen, which makes them stand up for this: Surely not, because I am peafwaded there is not a *Prelatist* in *Scotland*, but would reckon it unreasonable for Heritors or others of our Communion, who could not in Conscience join with them in Word and Sacrament, to have a Suffrage in the Choice of Pastors to oversee their Souls. And the great Unreasonableness of this Overture further appears, in that hereby the known Enemies to our Constitution, both Civil and Ecclesiastical, are made, not only Callers, but the main Callers, in sundry Congregations of *Scotland*, particularly in the northern Part of the Kingdom, where (if I be not misinformed) in many Parishes such Heritors exceed the Number of well affected Gentlemen, yea, and of Elders too: And tho' the whole well affected Heritors, the whole Elders, and all the People to a single Man, were for never so excellent a Person to be their Minister; yet, by the last Clause of the second Paragraph of this Overture, however much the Presbytry should also be for the Candidate, they are so bound up that they must go cross to the *Assembly's Recommendation*, if they go in to the Settlement, if Heritors not of our Communion be supernumerary to other Heritors and Elders, which 'tis said might be no rare Case in sundry Places of this Kingdom. It hath long been surmised, a Project is laid for bringing the Church of *Scotland* to declare for abjured Prelacy, and the *Romish* Ceremonies of the *English* Church: And I'm credibly informed, some of the Episcopal Perswasion express themselves with great Confidence, That in a little Time (some few more of the old Ministers being gone) they will see a Ministry in the Church of *Scotland*, who will declare for the Government and Worship of the Church of *England*, so as to make us *all one Man's Bairns* (as they express it.) I wish their Hopes may not have too much Foundation. And, to conclude this Head, I'm sure, for the Church of *Scotland* to allow Gentlemen not of her Communion, a Voice in the Choice of her Pastors, is not the best Way to secure her from Danger apprehended.

ded. 'Tis to be wished, the Church of *Scotland* may be as much concerned for the Safety and Security of her Interests and Privileges, as the House of Commons seem to be for theirs, who in *January* last (as yearly) have resolved, *That no Peer of this Realm hath any Right to give Vote in the Election of any Members to serve in Parliament.* This Resolution may flow from Apprehension the Peers of *Great Brittan* cannot be thought to have the same Concern for the Good of the Commons as themselves: And, I am sure, there is as much and far more Ground, for the Church of *Scotland* to resolve and declare, That non-residing Heritors, and Heritors not of her Communion, tho' the greatest Peers of the Land, have no Right to give Vote in the Election of any that are to serve in the Work of the Gospel among us. 'Tis not to be imagined, such as have their Residence elsewhere will have an equal Concern with such as are Members of the Congregation, to have their Vacancy supplied with an able Gospel-Minister. We have the clearest Proof hereof at Transportations; for, albeit a Minister be called from a lesser Charge to a larger, as may be from a Parish of three or four Hundred, to one above three or four Thousand, if Heritors of the lesser Congregation have Kindness for their Minister, they use to oppose the Transportation to the uttermost, though their Heritage should be larger in the Parish he is called to, than in that where they reside. And, for Heritors not of our Communion, there is far more Reason to think the Peers of this Realm will be concerned for the Good of the Commons, than to think these Gentlemen will be concerned for the Good of the Church of *Scotland*, or ever seek her Welfare.

Query VIII. 'Whether is it reasonable such Heritors as may be of scandalous and vitious Lives, or heterodox Principles should have a Suffrage beyond others in the Election of Gospel Ministers?' The Overture puts no Distinction among Heritors, but, according to it, Heritage, and being a Protestant by Profession is enough to qualify for this Privilege, whether the Protestant Heritor be Virtuous or Vitious, Moral or Immoral, Professor

fessor or Profane, Orthodox or Heterodox, tho' the
 Estate had been gain'd by never such manifest Trick-
 ing or Cheating it matters not. The General Assembly
 1649, in their Directory for the Election of Mini-
 sters, discharges the giving a Suffrage to any scan-
 dalous Person; but here there is no such Restriction:
 May not One be a Protestant, and yet of a dissolute,
 scandalous, profane Life, hateing nothing more than
 a faithful Servant of *Christ*, who (he thinks) will *lift up his*
Voice like a Trumpet, shewing People their Transgression,
 and faithfully testifying against all Sin, freeing themselves
from the Blood of Souls, pressing to the Discharge of
 every commanded Duty? As *Abab* hated God's faithful
Micaiah, because he did not sooth him up in his Sin,
 chusing the flattering false Prophets of *Baal* before him;
 so Heritors, of a vicious Conversation, they cannot but
 bear a Grudge against such as they think will be faith-
 ful to their Lord and Master, declaring *the whole Council*
of God, without fearing the Face of Man. Or, may not
 a Person be a Protestant Heritor, and yet a *Socinian* or
 an *Arian*? And will not an Heritor of such Principles
 be concerned to chuse such as he thinks will study to
know nothing but Jesus Christ and him crucified? Or, may
 not One be a Protestant Heritor, and not have so much
 as a Form of Godliness, being a stated Enemy to, and
 open Mocker at, every Thing which looks like real Re-
 ligion? Or, may he not be a Protestant Heritor, and yet
 as unconcerned about a faithful Gospel-Minister, as that
 Heritor, who at an Election said, *For all the Pains he*
had been at for one of the Candidates; yet, for his own
Part, he valued not, tho' they should set up a Bowkail-Stock
to preach unto them. We complain of the Toleration as
 boundless, because it tolerates all, except Papists and
 such as impugn or deny a Trinity; and yet this Over-
 ture is more boundless, allowing a Voice in the calling
 Ministers to every one that hath Heritage, unless he be
 a profest Papist: May not One be an Heritor, and yet a
 Deist, and a mortal Deist too, denying, not only a Tri-
 nity, but also the Soul's Immortality, denying all Ne-
 cessity

cessity of supernatural Revelation, *denying the Book*, to wit, of the sacred Scriptures, as I heard a certain Gentleman lately did, when another Gentleman adduced a Scripture for confirming his Argument in a Debate between them? I hope you will not mistake me, as if I designed a Reflexion on Heritors in general: No; this is far from my Heart, I think we have Ground to bless the *Lord* there are so many among us who are Gentlemen of virtuous becoming Conversations, detesting all Vice, Immoralities, and erroneous Principles: But, you know, it is the Complaint, and a general Complaint, That many, yea, a great many, through the Kingdom, are vitious and immoral in their Practice, and leavened with *Deism* and other abominable Principles. Did the Overture, with respect to Heritors, restrict this Privilege to Heritors of our Communion, to Heritors of a becoming Conversation, Heritors that attend upon Ordinances, and are to be the ordinary Hearers of the Pastor chosen, and to Heritors residing in the Congregation, it would be less exceptionable.

Query IX. "Whether is not this Overture a going off from Presbyterian Principles, yea, a going directly against them and against the Practice of the Church of Scotland in all former Times, seeing, in the Election of our Pastors, it allows Heritors a Suffrage beyond others; yea, all Protestant Heritors, whether residing in the Parish or not, whether of our Communion or not, whether moral or not?" For my Part I humbly think it is. All true Presbyterians that ever wrote on the Subject, whether against *Romanists*, *Prelatists*, *Patronages*, or *Erastians*, have still asserted, this is the Right of the People, without allowing a decisive Suffrage to Heritors, or the richer Ones of the Earth more than to others of meaner worldly Circumstances. This of the People's Right, is a *Reformation-Principle*, and a Principle for which the Church of Scotland hath always declared, since the Reformation. *Buchanan* tells us, That, in the 1558, when Sir *James Sandilands* was sent to the *Queen Regent* from the Congregation,

gregation, in Name of all who stood for the Reformation in Scotland, he requested, *The Election of Ministers according to the ancient Custom of the Church, should be made by the People.* As in that Petition he asserted it had been the ancient Custom of the Church, for People to chuse their own Pastors; so therein he declared it was the unanimous Desire of all that stood for the Reformation in Scotland. It should be so still, which shows, at the Reformation the *Lords of the Congregation*, the Nobility and Gentry, were far from pleading this as their peculiar Right above People of lower Rank. And the first General Assembly of the reformed Church of Scotland, which met at *Edinburgh*, December 20. 1560, enacted, That the Election of *Ministers* should be in the publick Church by the People. And, the Church of Scotland, in her first Book of Discipline drawn up at the Reformation, upon the Desire of the great Council of Scotland, which was subscribed, January 17. 1560, by a great Part of the Nobility and Gentry, as *Argyle, Glencairn, Marischal, Monteith, Morton, Rothes, &c.* In that Book it is affirmed, "It appertaineth to the People, and to every severall Congregation to elect their Minister.— For altogether this is to be avoided, that any Man be violently intruded or thrust in upon any Congregation; but this Liberty must, with all due Care, be reserved to every severall Church, to have their Votes and Suffrages in the Election of their Minister." The great Mr. *Knox*, and other worthy Servants of Christ, who drew up that Book, thought this was the People's Right in general, without putting the least Difference between such as have Heritage and others: And it is evident, from what they say in their Address to the Secrer Council, at giving in that Book to them, they thought they were able to prove from God's Word and plain Scripture, that this is the People's Right; As the Council in their Act approving thereof, and, at subscribing that Book, declared, they thought it to be conform to God's Word in all Points. Again, the second Book of Discipline hath not the least *innuendo* for any Right in Heritors,

Heritors, more than others in this Affair ; yea, so far from this, that, in my humble Opinion, it expressly declares against it, when, in the 12 Chapter (which treats of certain special Heads of Reformation, craved by the Church at that Time) it is said, "The Liberty of Election of Persons called to the Ecclesiastical Functions, and observed without Interruption, so long as the Kirk was not corrupted by *Antiebrist*, we desire to be restored and retained within this Realm, so that none be intruded upon any Congregation, either by the Prince or any inferior Person, without lawful Election and the Assent of the People, over whom the Person is placed, as the Practice of the Apostolical and Primitive Kirk and good Order crave." According to this you see, albeit the Prince himself, with all the Heritors of the Parish, yea, and Elders also, had been for a Person, it was esteemed a sinful Intrusion, contrary to Apostolick Practice, contrary the Practice of the primitive Kirk, and to good Order, unless the People were also for the Person placed over them ; and this is the Book, which the Commission's Overtures (transmitted 1719, to Presbyteries for their Remarks) affirm, ' Was agreed upon in the Assembly 1578, inserted in the Registers of Assembly 1581, Sess. 9. sworn to in the National Covenant, revived and ratified by the Assembly 1638, Sess. 21. and by many other Acts of Assembly, and which is the Foundation of Presbyterian Church-government, established by the 114th Act, James VI. Parl. 12. 1592, and by the 5th Act of the 2d Sess. Parl. 1. William and Mary, Anno 1690.' In that Book, there is not one Sentence nor Word in all its thirteen Chapters, more than in the first Book of Discipline, favouring this Privilege in Heritors more than in the meanest Christian in the Congregation : And, tho' under *Prelacy*, when Patronages were in Force, Episcopal Ministers were thrust in upon Congregations against their Will ; yet, in 1638, when Presbytery was restored ; as the General Assembly met at *Glasgow* revived and ratified the 2d Book of Discipline ; so that Assembly enacted, " That no Per-

' Person be intruded into any Office of the Kirk con-
 ' trary to the Will of the Congregation to which they
 ' are appointed.' Again, the General Assembly 1649
 in their Directory for the Election of Ministers, tho'
 with the 2d Book of Discipline it gives the Nomination
 or Choice of Pastors to the Eldership, discharging any
 Settlement, unless the major Part of the Congregation
 acquiesce and consent to the Person agreed upon by the
 Session, by which the People have a Negative over the
 Eldership in that Affair; yet, there is not the least Hint
 in that Directory of any Right given to Heritors above
 others in this Matter. And further, the Sentiments of
 Presbyterians in the Church of Scotland, may be gather-
 ed from a *Testimony* which was agreed to by many
 worthy Ministers of this Church, who had taken the
Spoiling of their Goods joyfully, rather than renounce
 Presbyterian Principles to comply with Prelacy, in 1672
 when the 2d *Indulgence* was granted; in which Testimo-
 ny the Necessity of the People's Call is asserted, both in
 regard of Ministers and People: And the *Indulgence* is
 complained of as a *Grievance*, because thereby People
 were deprived of their Liberty of a free Election; and
 in it they desire *the Liberty of Access to Settlements, as*
the Lord should grant them the Opportunity of a free Call
from the People. But, in all that Testimony, there is not
 a Word of any Right in Heritors, more than others.
 And, that this is contrary to Presbyterian Principles, is
 also evident from a Petition of many Thousands of Pres-
 byterians in the Church of Scotland to the Prince
 of Orange at the happy Revolution in 1688, drawn
 up, says Mr. *Wodrow*, by Ministers and Gentlemen
 who had suffered under the cruel oppressing Reigns of
Charles II. and *James VII.* In that Petition, tho' the
 Calling of Gospel-Ministers is said to be the Right and
 Privilege of the People, and warranted to them by the
 Word of God; yet that Petition hath not the least Hint
 of any Right in Heritors beyond others of meaner
 worldly Circumstances: Nor did it ever enter into the
 Minds of Heritors in those Days, nor former Times
 that this was a Right belonging to them more than to

other

other Christians in the Congregation: Nor did they ever plead for this, that I heard of, but since the Parliament's Act 1690, of which Act more perhaps afterwards. Now, as this of granting Heritors a Suffrage beyond others in this Affair, is directly opposite to all the standing Acts of the Church of *Scotland*, for regulating the Election of Gospel Ministers so 'tis against the Sentiments of all our Champions for Presbytery, who, in their Writings, plead from God's Word, that this is the Right of the People, without ever distinguishing that between Rich and Poor. Here I might cite *Calderwood, Rutherford, Gillespie, Wood, Park, Rule, Forrester, Jamison, Lawder*, and sundry others. And here also I might shew at Length, how this is opposite to the declared Sentiments of all foreign Protestant Divines, who have handled or touched this Subject in their Writings, as *Calvin, Beza, Zuinglius, Bullinger, Martyr, Musculus, Junius, Parcus, Centuriators of Magdeburgh, Voetius*, Professors of *Leyden, Amesius Maresius, Morney Lord de Plessis, Daneus, Chamier, Sadeel, Blondel, Luther, Chemnitius, Brentius, Illyricus*, those Divines have affirmed and proven from Scripture, against *Romanists*, that this is the Right of the Lord's People to chuse their own Pastors, without ever allowing the least Privilege in the Affair to Heritors above others. Here to the same Purpose, the *Confessions* of sundry Protestant Churches might be adduced; I'll mention only one, and that is the *Confession* of the once famous and flourishing Churches of Christ in *Bohemia*, which is the *Confession* of the noble *Waldenses*; In the first Paragraph of the ninth Article thereof, 'tis said, 'They teach, that Ministers of the Church, to whom the Administration of Word and Sacraments is committed, ought to be regularly instituted according to the Prescript of Christ, and the Apostles; and that they should be called to the Exercise of that Office by the People that are godly and believing.' This *Confession* was approved by *Luther, Melancton*, and *University of Wittenburgh* in 1532, and after that by all the free Barons, and Nobility of the Kingdom of *Bohemia*. And tho' that

Confession puts Difference between *Godly* and *Ungodly*, yet it puts no Difference between Heritors, free Barons, the Nobles of the Kingdom, and others. Those Nobles and free Barons, more than the *Lords of the Congregation*, did not ask, nor did they dream of having any Right superior to People of an inferior Rank, as to this *Spiritual Ecclesiastical Privilege*.

Query, IX. "I would gladly know what is meant by the Word *Heritors* in this Overture? For it is πολυσημου, a Word of wonderfully various Signification, and of very uncertain Sound among us at this Day. If the Assembly go in to this Overture, which God forbid, would it not be needful, as they consult the Peace and Ease of Church-judicatories, that they declare to the World what they mean by Heritors? As, Whether, by Heritors, they intend Heritrixes also? For Heritrixes are not Heritors in the strict Acceptation of the Word. Whether by it they mean Feuars also? And, if Feuars, whether they intend all Feuars, such as have only feued a House, or House and Yard, a House and Acre, or some Acres of Land for them and theirs; or whether only such Feuars as pay Cess to the King? Whether the old and young Laird are both to vote as Heritors? Whether Minors are to vote as Heritors? Whether all Superiors are Heritors? Whether all that pay a Part of the Stipend are to vote as Heritors? Whether the old and young Lady, being Liferenters, are Heritors? Whether such as are not infeft be Heritors? Whether the Gentleman who hath sold the Land, and he that hath bought it, but is not entred upon Possession, is the Heritor, or are both to vote as Heritors? Whether Patrons of Mortifications be Heritors? Whether such as were never heard to be Heritors till the Day of the Moderation, and have only gotten some sham Title for this Effect, be Heritors? And further, Whether are all Heirs-portioners Heritors? These, and a great many Cases of the like Nature, would be decided: For all Acts of this Nature should be very clear, that so they may be understood of all. And, if
this

this Act should only mention Heritors in general, it is a *Lesbian* Rule, which may be turned any Way you please. And further, it might be needful the Assembly should determine, whether such Elders, as have left, or been put out of Session, but not formally deposed, should be reckon'd Elders having a Vote. As also, it would be needful to determine, whether such Elders as have not been received into the Session since coming from other Congregations, are to have a decisive Voice with other Elders in the Election of Pastors.

Query, X. 'Whether, by the Overture, shall not " Gospel-Ministers be put upon Work beyond, if not " above, their Sphere ?' For, in Case there be a Competition, which frequently happens, they must judge as to the Validity of the Civil Right of Heritors; where there may be Protests, and Counter-protests, they must judge whose Civil Right is best, which, in many Cases, is not easy to determine. When our blessed Lord, the sovereign Judge of all the Earth, was desired by One, to speak to his Brother, *that he might divide the Inheritance with him*; to set his Servants an Example, he declined to meddle in that Civil Affair, saying, *Who made me a Judge or Divider over you?* Luke 12. 13, 14. In Matters of this Nature, says Mr. Henry, on the Place, *He would not assume a legislative Power to alter the settled Rule of Inheritances, nor yet a judicial Power to determine Controversies concerning them, tho' he could have done the Judge's Part, and the Lawier's Part, as well as he did the Physician's Part, and have ended Suits at Law as happily as he had Dis-eases; but he would not: For it was not in his Commission.* And, says he, *It is the Nature and Constitution of Christ's Kingdom, that it doth not intermeddle with Civil Rights: These, while before Ministers of the Gospel, are coram non judice.* And surely, as this is beyond the Sphere of Gospel-Ministers, so it is an Affair which may occasion much sinful Expence of precious Time to them, who should not leave the Work of the Ministry, or *Word of*

God to serve Tables, as said the Apostle, *Acts* 6. 2. The serving Tables was a pious Work, receiving the Charity of the Rich, and distributing to the Necessities of poor Christians. I say, this may occasion much sinful Expend of precious Time, when Ministers may be called to sit from Day to Day in judging the Civil Rights of Heritors, whether real, or only pretended, as in the Case of *Grammond* Settlement some Years ago, which from Day to Day, for a considerable Time, created no small Trouble to the Presbytery of *Edinburgh*, for all the Gentlemen of the *Long-rob* they had to assist them: So, in the present Case of the *West-kirk*, which took the Presbytery of *Edinburgh*, and their Committee, 12 or 13 Days in making a Scrutiny as to the Civil Rights of Heritors who claimed a Vote in that Election; and yet they have not finished it. So, again, in the Case of *Saline*, which, in *December* last, according to my Information, cost the Presbytery of *Dunfermline* three whole Days, from Morning, to late at Night, in judging of the Rights of Heritors, as with Protests, and Counter-protests, 'twas about Ten of the Clock at Night on the Day of the Moderation before Heritors and Elders had given their Votes. The Church of *Scotland*, in the purest Times, hath always declared against Ministers having a Vote in *Parliament*, as being without their Sphere, and a distracting them about Civil Matters from their Ministerial Work. And the Argument holds in this Case; for *majus & minus non variant speciem*.

XII. *Query*. 'Whether is not this Overture an evident Robbing the People of all their Right to elect their Pastors?' Our Protestant Divines assert, *The People have an inherent Power and Right to this*. A Right, not only *de facto*, but *de jure*. A Divine Right, a Right from *Christ* the King of *Zion*; a Right which he hath purchased with his Blood, and bequeathed to them in his Testament; a Right which is not alienable by them; a Right which cannot be taken from them, proving it is so from sundry Places of God's Word: Bur,

In my humble Opinion, by this Overture, all their Right is taken from them, Heritors and Elders being made the sole Callers. By the Constitution of *England*, I think, every Burgher hath equal Right to vote in the Election of a Parliament-man for the Burgh: But, should there be a Law made, that Magistrates, and common Council whom they have chosen, with as many, or some more of the richest Burghers should henceforth have the Election, the People of *England* would complain, and that justly, of invading their Rights, and robbing them of their just Privileges. And, I humbly think, the Case is the same here; yea, and granting, that the Elders represent the People in this Affair, as says the Overture (whereby, I think, its own'd this is the People's Right originally.) I ask, Whether are they sufficiently represented, on Supposition Heritors be supernumerary to Elders, as I'm apt to think they are; yea, I am sure they are in many, if not in most, Parishes of *Scotland*, including all pretending to Votes, or are in Use to vote as Heritors in the Election of Pastors: Or, if it be not the Case when the Vacancy happens, it is an easy Thing to make them so. And, according to this Overture, I see not but one Laird, tho' none of the greatest, an Enemy both to King and Kirk, yea, and an avowed Enemy to God, by Cursing, Swearing, Drunkenness, Whoredom and Sabbath-profanation, may have more to say in the Election of a Gospel-Minister, than all the Elders of the Congregation: For, after counting Votes, he hath no more to do, but met off so many Acres of Land, and sell or feu them to so many at such a Rate, and upon this secret Condition the Buyers give him their Votes in the intended Election, for neither Church nor State hath yet determined how much Heritage is requisite to make an Heritor: Yea, two or three Houses belonging to Heirs-portioners may yield as many Votes, as shall be supernumerary to the Eldership. And in the present Case of the *West-kirk*, I'm credibly informed, four Heirs-portioners in the *Water of Leith*, on the opposite Side to the Elders, voted, for a House, or some Houses which be-
 longed

longed to one *John Tennent*, without Yard, or any arable Ground belonging to them their valued Rent being only about eleven Pound *Scots*. And on the same Side of the Question, other three or four Heirs-portioners voted, for the House and Yard of one *John Vernon*, the valued Rent being scarcely ten Merks. O desirable Overture! And, as Heritors are supernumerary in many Parishes, so 'tis known from sad and daily Experience, many Elders vote directly contrary to the Mind and Inclinations of the People, whom they are said to represent; yea, through the unwearied Solicitations, fair Promises, or severe Threatnings of Heritors, or such as they depend upon, they often Vote directly contrary their own declared Inclinations, the Fear of Man causing a Snare. As in the Case of an Elder at a late Election, who said of the Candidate, the People were generally inclined to call, *My Heart is for him, tho' my Tongue must be against him*, being overruled by his Master. And, indeed, were Elders left to their Freedom, seldom would they differ from the People in their Choice. And tho', by this Overture, the Elders are said to represent the People, yet, according to it, Settlements may be made, tho' not one Elder should be for it; yea, tho' not a Soul in all the Congregation that hears a Presbyterian Minister should be for it; yea, tho' every Man in the Congregation should be against it. Heritors, not of our Communion, residing in other Congregations may be supernumerary to other Heritors, and also to all the Elders. And I'm credibly informed, the late Settlement, upon the Footing of this Overture, of the Parish of K——s, in the Presbytery of P——b, is a lamentable Instance, too much to this Purpose, there being of our Communion in all the Parish only one Gentleman and his Family for the Person settled; and this Gentleman and his Family resides there scarcely the Half of the Year; all the Elders and People that hear Presbyterian Ministers, to a single Man, being opposite to the Settlement. If Elders represent the People in this Affair, as the Overture says, then, as the Assembly would not rob them

of

of their Right according to the Commission's Overtures transmitted 1719. Should they not enact, That in the Election of Ministers, unless there be a Majority of Elders for the Call, it shall not be proceeded upon, tho' never so many Heritors were for it. I think, our constant, or more ordinary, Members of Commission should be for this, lest they be charged as unstable, and guilty of changing from better to worse : And indeed, their Overtures upon this Subject are in many Respects better than this Overture, in regard they expressly require, *There be not only a Moderation, but a publick Intimation thereof from the Pulpit ; at which Intimation, they appoint, not only Heritors and Elders, but also Heads of Families be required to meet on the Day of the Moderation, in order to the nominating and electing a fit Person to supply their Vacancy.* And, when the Day of the Moderation is come, those Overtures appoint, *That, Sermon being ended, the Minister, who is to moderate, require, not only Heritors and Elders, but also the Heads of Families to meet ;* And, in order to a more comfortable Settlement, those Overtures recommend to all concerned in the Election, that they study *the Satisfaction and Edification of the People.* And in the Draught of their Call they intimate, *That the Consent of the Parishoners is needful to make it a clear Call from God.* But nothing like these in this Overture.

Query XII. ' Whether by this Overture have Parishoners or People, residing in the Congregation, any more Right, Liberty, Power or Privilege left or allowed them in calling their Minister, than if they lived at the greatest Distance ? ' For my Part, I think they have none ; seeing, according to the Overture, if they approve not of the Person called by a Majority of Heritors and Elders, they must give in their Reasons of Disapprobation to the Presbytery, when 'tis known from Experience, and the Practice of Judicatories, in some late Settlements is made upon the Footing of this Overture, that nothing less is accepted as a valid Reason in this Case, unless the People shall libel the Person called, and prove him guilty of Error in Doctrine, or Enor-

mity

mity in Conversation. Now, I suppose, if this be all that's allowed the People, they have no more Privilege in the Case, than if Strangers coming from the most distant Corner of the Kingdom; for, if any from the remotest Place of the Island should offer in Presbytery to prove such or such a Person guilty, as above, this would stop the Settlement, till Enquiry should be made into the Affair; if this be all their Privilege, 'tis no Privilege at all: And what the *full Vindication of the Commission's Overtures* say, of the *consultative Vote of general Sessions*, may on better Ground be said in this Case, namely, *That this is a mere Shadow and Dream; what an airy Privilege is it, to have their Advice asked, but without any Efficacy?* Is it not a downright mocking the People, to call it a Privilege, to have Liberty to libel a Person, and so to run the Risque of being censured and punished as a Slanderer and Calumniator, in case they be not able to make their Charge good? which, tho' it should be true notour and relevant, is not easy to do, especially, if the Person or Persons libelling understand not our Forms of Procedure, or should happen to have what we call an *ill-sitting Sheriff*; and 'tis known, Ministers are capable of being biased in some Cases, as well as other Men, perhaps the Person called, hath lived at 40 50 or 60 Miles Distance all his Days, and was never heard of by the People, till some few Weeks before he was called to take the Charge of their Souls; he may be of unsound Principles, perhaps a Favourer of abominable *Arianism*; or he may be a *Latitudinarian* as to Church-Government, as much for *Prelacy* as *Presbytery*, and of an untender Walk, and they unable to prove the Charge, tho' under strong Impressions of his being a naughty Person, and an utter Stranger to experimental Knowledge, looking on Communion with God, and the Experiences of his People to be nought but *Enthusiasm*. Our *Presbyterian* Divines in former Times, and particularly the reverend and renowned Mr. George Gillespie (a) thought the People's Dissent was Ground e-

nough

(a) *Miscellany, Quest. Page 14. 28.*

nough to hinder the Settlement; and he affirms, ' They
 ' are not obliged to give a Reason of their Dissent; or,
 ' if they must give a Reason, he says, If they desire a-
 ' nother better, or as well qualified, by whom they find
 ' themselves more edified, this is a Reason sufficient; '
 and says he, ' As the Vote of the Eldership is a free
 ' Vote, and they are not called to an Account for their
 ' Votes; so is the Congregation's Consent a free Consent,
 ' and the Objection holds no more against the latter
 ' than against the former, and both are jointly required
 ' by the Church of Scotland: And adds he, It being
 ' condescended upon in the Parliament of Scotland, that
 ' his Majesty, with Advice and Consent of the States,
 ' should nominate the Officers of State. The Estates of
 ' Parliament were pressed to give a Reason of their dis-
 ' senting from his Majesty's Nomination; but they re-
 ' fused: And I am sure, *says he*, consenting or not
 ' consenting in a Matter Ecclesiastical, ought to be as
 ' free, if not more free, than in a Matter Civil.' *Some*
are ready to say, ' Why should not the People be plea-
 ' sed with such as are of their Communion, when the
 ' Presbytery hath licensed them, and are pleased with
 ' them, when they can neither prove them guilty of
 ' Hetrodoxy nor Irregularity in their Practice?' But
 we may as well ask, Why should not *Presbyteries* be
 pleased with such as the People are for, when they have
 licensed them, being of sound Principles, and a blame-
 less Walk? And Presbyteries can be instanced, that
 have thought it a very hard Matter to have such or
 such a Probationer or Minister settled as a Copresbyter
 among them, tho' having a Majority of Heritors Elders
 and People also: And, to allow People no more but a Li-
 berty to object against the Life or Doctrine of the Per-
 son called, is to allow them no more but what *Prelates*
 and *Papists* also allow, and no more but what was allow-
 ed them when Patronages were in greatest Force.

Query XIII. ' If it was Apostolical and agreeable to
 ' the Practice of the Primitive Kirk, that none should
 ' be intruded upon any Congregation, either by the
 E Prince

Prince or any inferior Person, without lawful Election, and the Assent of the People over whom the Person is placed; as our 2d Book of Discipline formerly cited affirms. Whether will not the Church of Scotland be Apostatical as to the Point of calling Gospel-Ministers, if she go in to this Overture? According to which, in my humble Opinion, Settlements may be made, whether the People assent or not to the Person elected. And, as the Church of Scotland hath once and again in former Times declared against, and discharged the intruding of Ministers contrary the Will of the People; so I'm apt to think, there is as much Ground at this Day as ever, to enact, That no Settlement of any Minister be made *venitente & contradicente Ecclesia*. For, as the reverend Mr. Joseph Boyes says, 'That the People have a Negative in this Case, is the least that can be allowed them, unless the Patron, and I may say, unless Heritors and Elders, were to be responsible for their Souls at the Day of Judgment, or could secure them from all the pernicious Effects which an ill Choice is attended with, to their incomparable Loss and Detriment.'

Query XIV. 'When, and by whom, is the Person elected by Heritors and Elders to be proposed to the whole Congregation?' The Overture seems to leave these in the Dark. It says indeed, *One or more of the Presbytery's Number is to meet with the Heritors, being Protestants, and the Elders who represent the People, that they may elect One to be their Minister, whom they are to propose to the whole Congregation, to be approven, or disapproven by them.* But none can gather, with any Certainty, from this Overture, whether it be the Heritors or Elders, or both conjunctly, or the Presbytery, that is to propose the Person elected to the whole Congregation. And the Time for this Proposal is left at as great Uncertainty; for, tho' the Day of the Moderation or Meeting of Heritors and Elders, for chusing one to be their Minister, seems to be the proper Season for this; yet there is no Hint in this Overture, of desiring the whole Congregation to be present at, or of desiring them, if present,

to

to stay till they see the Event of the Meeting of Heritors and Elders : And, as it might be less convenient for Heritors and Elders, or Elders alone, afterwards to call this Meeting of the whole Congregation, when there is not a Minister with them to moderate in that Meeting; so the Overture hath nothing anent this ; and to delay this Proposal till serving the Edict seems to be a little *post horam* for such a Proposal. This would be preposterous, as 'tis to hang a Man and then to judge him ; First, to appoint an Ordination or Admission, and then propose him to the whole Congregation, to be approven or disapproven by them. If he is to be proposed to the whole Congregation, I hope they are to meet some Time or other, to confer and declare their Sentiments upon that Head.

Query XV. ' If Elders represent the People in this Affair, as says the Overture, should they not be enjoined to consult them ; and, in their Choice of Pastors, to have Regard unto their Inclinations ; especially to the Inclinations of such Persons in the Congregation, as are of best Reputation for Religion ? ' For my Part, I humbly think they ought ; and, unless they do, their Votes are no Declaration of the People's Sentiments : Yet there is nothing like this in the Overture ; The *Assembly's Overtures* transmitted 1719 say, ' The Elders should try the Inclinations of Heads of Families, and Persons of good Reputation in that Parish and have Regard thereto in their Choice of a Minister. ' And also, the *Commission's Overtures* of the same Date supposes this is their Duty, while, before a Moderation be appointed, they require, ' That Elders of the vacant Congregation, by one commissioned by them, acquaint the Presbytery, That they have, not only had their Thoughts on a fit Person to supply their Vacancy, but have communicated the same, as to the Heritors, so also to other Heads of Families ; and that they judge it probable the Person intended will be generally acceptable. '

Query XVI. ' Was it not a Sign the Sticklers or Propugnators for this Overture were jealous, it could not abide the Test and Trial, in that they transmitted

‘ it upon a first Reading in the Assembly ? ’ which is expressly against the 16th Act of Assembly 1700, which enacts and appoints, ‘ That when any Thing of publick Concern and great Weight is proposed to the General Assembly, to be past as Overtures or Acts for a standing Rule to the Church, after the first Reading, it be delayed till the next Day of the Assembly’s Sitting, and ly on the Table to be seen and considered by all the Members, ’ whereas this Overture was transmitted upon a first Reading, and in the same *Sederunt* of the Assembly in which it was first read. And the Assembly’s printed Minutes are a clear Proof hereof ; for, as they never mention its Reading more but at that *Sederunt* in which it was transmitted ; so they expressly bear, ‘ That, in the 9th Session, an Overture concerning the planting vacant Churches was brought in from the Committee of Overtures, and approved. ’ And this was the last Thing done at that *Sederunt*, at which Time the House uses not to be most frequent.

Query XVII. ‘ Whether by this Overture are not Magistrates, Town-Council and Heritors, made Patrons in all the Royal Burghs in *Scotland*, if it be not in Cities where there are general Sessions to vote in the Election ? and so the People in those Burghs are entirely robbed of their Right, even granting the Elders represent them in this Affair, ’ in regard Magistrates, Town-Council and Heritors in those Burghs will be supernumerary to the Eldership. To distinguish between the People, Magistrates and Town-Council, in Ecclesiastical Affairs ; as also, to distinguish between them and Heritors is a new and groundless Distinction. *Clergy* and *Laity* hath been an old tho’ ill-founded Distinction, the *Laity* being the *Lord’s Heritage*, as well as they who are designed the *Clergy*. The Church *representative* and *collective*, hath also been an old Distinction ; but formerly, Heritors and Town Council were always reckoned among the People in the Election of Gospel-Ministers. But, having touched this *Query* upon the 5th Question, which you may be pleased to consider, I proceed to

Query

Query XVIII. Which is, 'If the Patron present not, or if there be no Application from Patron, Heritors and Elders, in the Space of Six Months after the Vacancy, whether by this Overture is not the Power taken out of the Presbytery's Hand, as well as out of the Hands of Elders and People?' The Overture says, 'If the Presbytery be applied unto within the Six Months after the Vacancy for supplying thereof, by the Consent of the Patron and others concerned, shall forthwith proceed to the planting the vacant Charge in the Manner and Way above-specified.' But, what if the Patron and others concerned apply not? there is no Clause in the Overture empowering Presbyteries to proceed to the Settlement in such a Case: And I doubt not it will be pleaded, That, as the Patron hath had one Half-year to present in, so Heritors and Elders must have another Half-year to consider and think upon a fit Person to supply the Charge; and so the Congregation shall be kept vacant at least one whole Year, tho' they should agree and fix upon a Person within a Month after the Vacancy: Yea, 'tis a Question, Whether, according to this Overture, the Presbytery can proceed without the Application of those concerned, tho' it should not be for sundry Years.

Query XIX. 'Doth it not argue an unjustifiable Forwardness for this Overture, that in case Presbyteries shall neglect to send up their Opinion upon it, it is appointed to be laid before the next Assembly, to be passed into a standing Act or not, as they see Cause?' In my humble Opinion, this is directly contrary to the 9th Act of the General Assembly 1697, which requires, 'That before turning Overtures, which are to be binding Rules and Constitutions to the Church, into standing Acts, that, not only such Overtures be transmitted to Presbyteries, but also requires, that it be reported from Presbyteries by their Commissioners to the next Assembly, that it is the general Opinion of the Church, that such Overtures be turned to Acts by the Assembly.' This is an unprecedented Clause in
Over-

Overtures; nothing like it in the Overtures of Assembly for planting vacant Churches, of the Date *May 23d 1711*, nor in the Assembly's Overtures upon the same Subject, of the Date *May 21st 1719*, nor I think in any Overture of such general Concern since passing the said Act of Assembly in 1697. It might at least been transmitted a second Time, before any such Appointment had been made.

Query XX. 'Whether, notwithstanding this Overture, may not, and will not, Presbyteries be as much divided, taking as different Methods in planting vacant Congregations as ever?' The Overture is proposed to remedy and prevent *IN PART the Inconveniencies and Divisions occasioned through Presbyteries not taking an uniform Method in supplying Vacancies.* As it proposes to remedy those Evils only *in Part*, so it will be a very small Part; yea, for my Part, I can see no Part wherein those Evils shall be remedied or prevented thereby: For, notwithstanding all that is said in the Overture, tho' turned into a standing Act, some may be for a publick Moderation, for timeous Intimation of this Moderation, for a Sermon before it; and for desiring Heads of Families, or the whole Congregation, to tarry and give their Consent, or testify their Dissent, while others may oppose all those as needless, seeing the Overture hath nothing anent them; some will be for taking and sustaining the Votes of all pretending to be Heritors, tho' some of them should have no more Right by real Heritage than the Man in the Moon, while others will be for enquiring narrowly into this; or may be at one Time they will be for a narrow Inquiry, and at another Time for slumping the Votes as they stand affected to the Canditate. What hath been may be, and it is known some have been for the Scrutiny in one Case, and against it in another, alledging, when they saw it made against them, Ministers are not competent Judges of Gentlemens civil Rights; some will be for sustaining one Thing to be enough to make an Heritor, and some another: And, I have known two Knights, and one of their eldest Sons, all voting on the same Side of the Question

tion, and their Votes sustained, while they could pretend to no more Heritage in the Parish, but one small *Inclosure*, having neither House nor Hold upon it; no Doubt this was a clear Call to labour in that *Inclosure*; some again will reckon a bare Superiority of some Part of the Parish enough (tho' the Vassal should pay but 40 or 20 Penies, yea, but a single Penny, a Half-penny, or only the sixth Part thereof a Year, and that only upon Supposition it should be called for) or the paying some Part of the Stipend, while others will not esteem those valid; some will reckon all Fewars to be Heritors, tho' they should only have a House and a Yeard, or a House and an Acre of Land in Few; some will reckon no Fewars Heritors, unless they pay Cefs to the King; some may think the People's declaring they are not edified by such or such a Person's Gift, or their being far more inclined to another, sufficient Objections against the Settlement, while others will sustain neither of these, nor any Thing else, unless they libel the Candidate, and prove him guilty of Error in Doctrine or gross Immorality in Practice; some may reckon the Consent of ten, twenty, thirty, forty, or fifty Heads of Families or others enough to testify the People's Concurrance, tho' double or triple their Number should be against the Settlement; or if there be any Thing near an Equality, tho' all or most, that in the Judgment of Charity have real Religion, should be on the opposite Side; yet, some will esteem that almost Equality enough, while others cannot be for the Settlement, unless there be an actual Majority of Consenters, as well as of Heritors and Elders, and so of a great many other Things which might be particularized.

Query XXI. ' Seeing the Acceptation of Presentations, from Patrons, is like to turn fashionable among us; while the Patronage-act stands unrepealed, might it not been proper this Overture had contained a Clause to this or the like Purpose, That such Ministers or Probationers, as henceforth shall accept of a Presentation, when no Call is given by the Congregation, shall be proceeded against, and declared unworthy of
the

' the Office of the holy Ministry for their *crimen am-*
 ' *bitus*, in complying with that Antichristian Usurpati-
 ' on of Patronages, which the Church of *Scotland* hath
 ' affirmed to be contrary to God's Word and Liberty
 ' of Election ?' The neglecting of this seems to be
 an undervaluing what Kindness was done by our Friends
 in Parliament 1619, when that Amendment was made
 in the Patronage-Act, by which the Patron's Presenta-
 tion is of no Force, unless accepted by the Presentee. I
 wish the Church of *Scotland* may shew as much Zeal in
 the Affair at this Juncture, as the House of Commons in
 this same Session of Parliament, hath shown against all
 such as shall endeavour to have themselves elected
 Members of Parliament ; in which House, in *January*
 last, it was resolved, That, if it shall appear that any
 Person hath procured himself to be elected, or endea-
 voured so to be, by Bribery, or any other corrupt
 Practice, the House will proceed with the utmost Seve-
 rity against him. Do we not all own, that for one to ac-
 cept of a *Presentation*, when the Congregation hath not
 given a *Call*, is a very corrupt Practice, and an endea-
 vouring hereby to have himself fixed without so much
 as a Shew of Election in such or such a Congregation ;
 and therefore, in all Reason, he ought to be proceed-
 ed against after the late known and laudable Example
 of the Synod of *Perth* and *Stirling*. But I proceed to

Query XXII. and last, ' Whether had it ever Prece-
 ' dent in any Protestant Church to enact, That Heritors,
 ' all Heritors, even all non-residing Heritors, yea, and
 ' all Heritors not of their Communion, as well as others,
 ' if they be Protestant by Profession, should have a Suf-
 ' frage above others in the calling of Pastors, while all
 ' the Privilege left the People is only a Liberty of li-
 ' belling the Person called, if they consent not ? They
 ' must either do this, else willing or unwilling, pleased or
 ' displeased, be he their Choice or not, edified by his
 ' Gifts or not, he shall be fixed among them, and have
 ' the Charge of their Souls." For my Part, I suppose
 this is altogether unprecedented ; yea, I dare say,
 Never was any Thing like this enacted in any Christian
 Church

Church under Heaven, nothing like this in the *primitive Church*. The learned *Turrentine* says, (a) *Antiquity judged, as it were, in one Voice, that all such Elections were void as wanted the Testimony and Assent of the People*. The learned *Sir Peter King*, now my Lord King, and present Chancellor of Great Britain, after a narrow Search into the *Constitution, Discipline, Unity, and Worship of the primitive Church during the first three Centuries after Christ*, says, *The People and Members of that Parish to which the Pastor was called, had the Choice of their Minister*. (b) And his Words are, 'Now the Manner of electing a Bishop (to wit, during the first three Centuries) I find to be thus, When a Parish or Bishoprick was vacant through the Death of the incumbent, all the Members of that Parish, both Clergy and Laity) that is, as I take it, *Elders, Deacons, and People*) they meet together in the Church commonly, to chuse a fit Person for his Successor to whom they might commit the Care and Government of the Church.' In all his Search he found not the least Difference put between Heritors and others; all that voted were to be Members of that Church, to which the Pastor was called, whereby all non-residing Heritors, and all Persons not of the Communion of that Church, were cut off from having any Hand in the Election. The *London-Ministers*, say *Dr. Blondel*, that great *Antiquary* undertakes in a long Discourse to make it out, that for 1200 Years (to wit, after Christ) the People had the free Liberty in the Choice of their Bishops; And he proves it, say they, from undoubted Authors in the several Countries. This is owned by all, that in the *primitive Times* the People, without distinguishing between Rich and Poor, Heritors and others had the Choice of their Pastors. *Romanists* themselves own this; hence the *Popish Fathers*, at the *Council of Trent*, for as corrupt as they were, sundry of them would had Elections brought back to the *primitive Practice*, upon which, *Diego Lainez*, one of those Fathers, stood up

F

and

(a) *Instit. Theol. Parl.* 3. p. 257. (b) *Enquires into*
Corest. p. 22, 45.

and said, *It was a Motion from the Devil to offer to reduce Elections to the ancient Course,* and pleaded, *It ought to be suppressed, because it was the ancient Custom, for if the Church had not found it inconvenient, she would never have quit it.* And, in all the Protestant Churches since the Reformation, never any of them enacted nor made Constitution like this; nor can I find, that, in any former Times, Ministers, or Heritors themselves, in the Church of Scotland, ever dreamed of this as their Right beyond others; indeed, in 1690, our Parliament enacted, 'That, in Case of the Vacancy of any particular Church, and for supplying the same with a Minister, the Heritors of the said Parish, being Protestants, and the Elders, are to name and propose the Person to the whole Congregation, to be either approved or disapproved by them; and if they disapprove, that the Disapprovers give in their Reasons, to the Effect the Affair may be cognosced upon by the Presbytery of the Bounds.' By which Act, Heritors and Elders had Civil Right given in the Election above others.

But this leads me to speak of the great Argument pleaded in Favour, and for the Support of this Overture, namely, 'That it is the same in all Respects with the Act of Parliament 1690, anent the planting vacant Churches, which is the Rule the Church of Scotland hath walked by in Settlements, since the happy Revolution; and tho' there were many worthy Ministers of Christ in this Church at that Time, who had ventured their worldly All, Life itself not excepted, rather than do the least inconsistent with Presbyterian Principles, and who, it is not to be doubted, were consulted in the Affair before the Parliament went in to that Act; yet they never opposed nor testified against this: And therefore, there cannot be Ground thus to except against this Overture, as sundry do, where by they reflect upon that well-servhg Parliament, which turned out Episcopal Government and settled Presbytery in its Room; and also on most of the Ministers of this Church, since the Revolution, who have

‘ have been settled upon the Footing of that Act.’
 Now, for Answer, 1. As to the Parliament which made that Act, tho’ we have Ground to bless and praise his Name, by whom *Kings reign and Princes decree Justice*, for stirring up these wise and worthy Patriots to do so much for the Nations Liberties *Ecclesiastical and Civil*, yet that Act anent the planting vacant Churches cannot be justified, in regard it is contrary to the *Word of God*, and to the Principles of this Church, declared in her *Books of Discipline* and *Acts of Assembly*, as recited above. 2. Whereas it is said, *The Overture is the same in all Respects with the Parliament’s Act*. I own, seemingly it is much to the same Purpose, yet not the same in all Respects; for that Act, I humbly think, leaves more unto the People than this Overture doth; for that gives only the *Nomination* and *proposing of the Candidate* to the Heritors and Elders, as you may see from the Words of it narrated above; whereas, this Overture gives the *formal Election* and *Calling* of the Minister unto them: Now, the bare *Nomination* and *Proposing of a Person* is not his *formal Call*; and, I think, that Act says, as much, As unless the People approved of the Person nominate and proposed by Heritors and Elders, it might be judged there was no Call unto him; And further, which you would seriously weigh, it is plain, the Parliament was convinced of their Error in allowing, by that Act, Heritors not of our Communion a Suffrage in the Election of our Pastors, hence, *May 23. 1693*, the Parliament enacted, *That all Heritors voting in the Calling of Ministers, and all others whatsoever giving Voice in the said Calling of Ministers, at their Meeting for that Effect shall swear the Oath of Allegiance, and subscribe the Assurance*; by which they knew all or most of the Episcopal Communion would be cut off from this Privilege, unless they should perjure themselves, being known Enemies to the Government, and attached to the Interest of the late King *James*. 3. Tho’ the Church of *Scotland* did submit to that Act of Parliament, yet she never declared her Approbation thereof; she never enacted it ought to be the Method of calling

Gospel-Ministers, else there had not been Need for this Overture, nor of troubling Judicatories about turning it into a standing Act; and, it is one Thing for a Church to submit to a Civil Law, tho' encroaching in some Measure upon her Liberties, and another Thing for her to make an Act of the same, if not of a worse, Nature. 4. Whereas it is said of the many worthy Ministers of Christ in this Church, That they never testified against this Act as contrary to our Principles; I answer, Tho' they did not remonstrate against this, yet, I am sure, they could not but look upon that Method of planting vacant Churches as contrary to them and to the Practice of this Church in all former Times: And sundry of our valiant Champions for Presbytery, since that Time, have, if not formally, yet materially, testified against it in their Writings; as *Principal Rule*, *Principal Forrester*, *Professor Jamison*, *Mr. Lawder*, and others, while, in the plainest Terms, they affirm it is the People's Right and Privilege granted to them by the King of Zion to elect their own Pastors without the least *Innuendo* of Heritors having any more Right or Privilege in the Affair, than People of inferior Rank; yea, the last of those Authors affirms it in the plainest Terms, *That the meanest Person hath as good a Right to this Ecclesiastical Privilege, as the richest Heritor tho' a Prince*. And, as immediately upon the happy Revolution Ministers might not think it proper to oppose the State in this; so afterwards, Heritors and Elders generally agreeing upon such as the People was pleased with, when once accustomed to such Settlements, they might not see the Need hereof; And, for my own Part, till I saw Calls carried on in sundry Corners of the Land contrair the Votes of Elders and declared Inclinations of the People, by Heritors who were known Enemies both to Church and State. I never thought of the Evil of this and even at the *Revolution*, as also since, it is known there were sundry worthy Ministers in this Church, who, tho' they had the *legal Call*, yet could not content themselves therewith, unless they also had the Call or Consent of the People declared by the Subscriptions of

of Heads of Families. 5. Whereas it is said, Surely those worthy Ministers who lived at the Revolution, were consulted at making that Act; I say, This is affirmed without any sufficient Proof; never Meeting of Presbyterian Ministers that I could hear off, was called to give Advice upon that Head; and surely there is as much Ground to say, Those Ministers were consulted as to the wording the Act of Parliament, abolishing Prelacy at that Time, where too much Stress seems to be laid upon the Inclinations of the People, and too little upon the Word of God; whereas, it is the known Sentiment of all true Presbyterians, that Episcopacy is contrary to the sacred Scripture, and that Presbytery is agreeable, and not only agreeable to the Word of God, but the only Government in Christ's House of divine Institution: And, had those Ministers approved of that Act anent planting vacant Congregations, they had acted directly contrary to all the standing Acts of the Church of Scotland, and to the Sentiments of Presbyterians upon that Point in all former Times, and to their own declared Sentiments at granting the *second Indulgence*, of which above, as also to their declared Sentiments, and the Sentiments of these Thousands of Presbyterians, who, in a Petition to the Prince of Orange in 1688, drawn up by Ministers and Gentlemen who had suffered in the former Reigns, in which, as they earnestly desired, *Laick Patronages might be discharged*; so also they requested, *The People might be restored to their Right and Privilege of Election according to the Warrant of God's Word.* (a) Can it be imagined those worthy Ministers were so changeable in their Principles as to be for one Thing in 1688, and for another in 1690, affirming the People's Right to elect their Pastors was warranted to them by the Word of God this Year, and that they had no Right to this the next Year; but, what might be taken from them, yea, we have the justest Ground to think those worthy Ministers of Christ were not so taken with that Act as is alledged, else at the first

or

(a) *Wood. Hist. Vol. 2. p. 651.*

or some subsequent Assembly, they had adopted it and turned it into an Act of Assembly, that so it might have the Authority of the Church as well as of the State : But, instead of this, I am credibly informed that Act of Parliament was no small Grief to some of these eminent Servants of Christ who expressed their great Fears of its proving hurtful to this Church. 6. Tho' the Church of Scotland had formerly and formally approved of that Act of Parliament in never such explicate Terms, it had only been a human Constitution, and in my Opinion contrary to the Word of God, and therefore not to be regarded. Have not all our Protestant Divines, since the Reformation, as was said above, still pleaded from Scripture, that the Election of Pastors is the People's Right without ascribing more to Heritors than others in the Affair ; and, if their Right be *divine* and *warranted to them by the Word of God*, then, as the full *Vindication of the Commission's Overture*, says (b) *No human Custom nor Authority can limit and restrain a Right that is divine*. 7. Whereas it is said, *The condemning that Act, or this Overture is a Reflection upon most of the Ministers of this Church, since the Revolution, as of they had entred by the wrong Door, seeing their Settlement hath been upon the Footing of this Act of Parliament ;* I answer, By denying the Charge ; for, that being the Method of Settlements at that Time, such Ministers as had the Call of Heritors and Elders, with the People's declared Consent, had a clear Call from the Lord to labour in that Congregation ; and, albeit the People had not given their formal Consent, yet, if they have not in some Way opposed the Settlement, they may be said to have consented according to that received Maxim, *Qui tacet, consentire videtur*, he that keeps Silence seems to consent ; but where any have been placed by Presbyteries, Synods, Commissions, yea, or by the General Assembly, contrary the declared Inclinations of the People, I think their Settlement cannot be justified. But, *Lastly*, For Answer, I say, It is thought

(b) *Appendix, p. II.*

thought by many, there was no such Danger to the Church of *Scotland* by that Act of Parliament at the Revolution, as by an Act of Assembly of the same Nature at this Day, considering the Difference there is between Ministers impowered to judge of the Validity of People's Reasons of Non-approbation, then, and at this Time, and also the great Difference 'tis thought there is between Probationers now, and at that Season: Then few or none had an Eye to the Ministry, but such as had a Sense of the Things of God, and Religion upon their Spirits, a Concern to win Souls, and contribute their Mite to make the Mediator's Name remembred to all Generations, being of fixed Presbyterian Principles: Whereas, it is feared, 'tis far otherwise with too many at this Juncture, of whom it may be suspected, their Desire of being in the Priest's Office, is mainly, if not merely, *That they may eat a Piece of Bread*; and their Willingness to accept of Presentations, or to be fixed in Congregations, whether the People call and consent, or not, is a manifest Evidence hereof.

I know some of the Patrons of this Overture have charged such as oppose it, as favouring the *Independent Scheme* as to the Calling of Gospel-Ministers, because they stand up for the People's Right to elect their own Pastors, judging their Call or Consent needful to fix the Pastoral Relation between a Minister and People. What I answer to this Charge is much in the Words of the *Full Vindication of the Commission's Overtures*, when speaking of such as called the Vote of general Sessions in calling Ministers an *Innovation*. 'It seems extremely hard, that any Minister of this Church should be so unacquainted with our Constitution, as to represent that as an independent Principle and contrary the Sentiments of Presbyterians, which our Reformers have so solemnly affirmed in the Books of Discipline, to whose Memory a higher Affront cannot be offered, than by the Clamours of some People upon this Occasion, That the People have Right from Christ to elect their own Pastors, is a *Presbyterian Principle, a Principle which*

is *PRIMARILY* Presbyterian, and not taken from the *independent Scheme* ; And it is an *Excellency of the Presbyterian Government*, that it gives the People this Liberty : As is asserted by these celebrated Authors, the *London Ministers*, in the Preface to their *jus divinum regiminis Ecclesiastici*, (a)

If the Assembly think it needful to make Regulations as to the Calling of Gospel-Ministers, then I heartily wish they may go in to the Method proposed by our worthy Reformers in the first Book of Discipline ; who, as the full Vindication of the Commission's Overtures, says, thought it their Glory to copy after the Apostolick Churches ; which Book, as above narrated, affirms, (b) " That it appertaineth to the People, and
 ' to every several Congregation to elect their Minister ;
 ' ————— for altogether this is to be avoided that any
 ' Man be violently intruded, or thrust in upon any
 ' Congregation, but this Liberty must, with all due Care,
 ' be reserved to every several Church to have their
 ' Votes and Suffrages in the Election of their Minister.
 So you see the People's Right to chuse their Pastors, is so far from being a Novelty or Independent Principle, that it is a Doctrine and Constitution as old as our Reformation ; Yea, which is a greater Glory, it is as ancient as Christianity : Or, if this shall not please, let the Assembly go in to the Method proposed in her second Book of Discipline in which, its said, *Election is the Chusing out of a Person, or Persons, most able to the Office, which waikes by the Judgment of the Eldership, and Consent of the Congregation.* Or, let them, take the *Assembly's Directory* 1649, for a Rule, according to which *Directory*, as the decisive Voice is given to the Eldership, so the People's Interest in the Affair is judged to be so great, that a Negative is given them over the Eldership, their Consent being reckoned as needful as the Voice of the Elders. And if, as the Overture says, *The Elders represent the People* ; then, is it not equitable, they, in whose Name they vote, should

(a) See 5th and 6th Leaves. (b) 4th Head.

should have a Negative, this being a Privilege, which, as our Divines assert, the People cannot alienate, or give away to others. And, should the Assembly go in to any of these, I humbly think, they need not trouble themselves transmitting Overtures upon the Subject, seeing they have no more to do but revive a former Act of Assembly. And, as this Overture is proposed to *remedy and prevent in Part the Inconveniences and Divisions occasioned through Presbyteries not following an uniform Method in supplying Vacancies*; So, through the Divine Blessing, this would be effectual for remedying and preventing these: Whereas, instead of this, should the Overture be turned into a standing Act, it is much to be feared our Breaches shall be widened, and our Divisions increased: For, as sundry Ministers of this Church will not have Freedom to join with it, nor with Settlements made upon the Footing thereof; so, tho' hitherto they have refused sealing Ordinances to such as had not Freedom to join with those that have been thrust in upon them, still hoping for a Redress of that Grievance, who, seeing their Hopes are gone, may come to refuse them no more, tho' they should be proceeded against with the highest Censures; *Having no Regard to this Settlement of the Church, seeing it was not made in the Apostolick Times, nor is to be found in the New Testament*, judging it to be a Constitution repugnant to the Word of God, and to be utterly refused as the Doctrine of Devils, as says our above-cited old Confession of Faith of such Constitutions as are repugnant to the Word of God. And tho', in testifying against Intrusions, Ministers should take this Method; it could not be thought so very strange, if we consider what is said by the publick Resolutions for their Vindication in the *Review and Examination* of that Pamphlet, entituled, *Protesters no Subverters, and Presbytery no Papacy*, printed 1659, when speaking of the Protesters, whom they accuse of misregarding the Inclinations of the People; in some of their Settlements they say, Page 15. ' Their tumultuary and disorderly Way of planting Congregations, was the

' very Practice of the *Remonstrants*, who made it a great
 ' Part of their Work to obtrude upon vacant Churches
 ' Ministers addicted to their Opinion, excluding where
 ' ever they could all others, tho' never so well qualified
 ' and orderly called, and desired by the Churches, in
 ' which they did not only misregard the Inclinations of
 ' the People, who by that Means were put to hard Shifts,
 ' but made use of Force and Power.' And for Proof of
 this they cite the *Preface* to the Acts of the *Synod of Dort* :
 And, *Page* 31 and 32, where still speaking of the *Pro-*
testers, they say, ' Suppose they in their precipitant
 ' Way do take the Start of Presbytery and People, and
 ' thrust in a Man, we do not believe that any will con-
 ' demn the Presbytery, if they hearken unto a People,
 ' and set a Man over them according to the appointed
 ' Order, seeing they cannot in Conscience submit to such
 ' an Intruder, and are rather willing to maintain ano-
 ' ther (if the legal Maintenance be otherwise disposed
 ' of) than be brought into such Bondage ; to do other-
 ' wise, were not only to approve of their Usurpations,
 ' but to wrong the Liberty of the People, and to sub-
 ' ject them to an intolerable Slavery, tho' otherwise we
 ' have forbore to meddle with such as they have thrust
 ' in, where the People do not make a Grievance of it.'
 And *Page* 33. when speaking in Vindication of Synods,
 who would not own those as Members of their Judica-
 tory, who had been planted in a disorderly Way, with-
 out the Consent of the People, and contrary their In-
 clinations, they say, ' This, we hope, is the most sober
 ' and fair Testimony can be given against their En-
 ' croachments and Usurpations, and will be condemned
 ' by none, but those that would have us (as they else-
 ' where phrase it) stoop like Asses, and bear all their
 ' Irregularities, and approve of all they do ;' And, if it
 shall occasion any Thing like a Rent or Schism in this
 Church, which I pray God may prevent, the Lord will
 require it of them who have the culpable Hand herein,
 by making Constitutions, which, instead of *leaning imme-*
diately upon the Word, and being taken from the pure Foun-
tain of the Scriptures, do stand in direct Opposition to
 them,

them, and which others cannot comply with without violenting their Light. And 'tis not Ministers preaching up Charity, Peace, Unity, nor their insisting upon the bad Effects of Division and Schism in the Church of Christ, which indeed are to be bewailed, was it with Tears of Blood, that will free them from having a sinful Hand, yea the chief Hand in those Evils. *Calderwood* tells us at bringing in Episcopacy, and overthrowing the Constitution of this Church, about 1606. The Sermons of false Brethren who joined with all the Defections of those Times, had the *Peace of Jerusalem* for their Subject: As they concluded their Meetings with singing the 133 Psalm; at which Time, says he, *The aspiring Bishops cried, Peace, Peace, craving Silence of their Opposites, when, in the mean Time, they minded not to be silent themselves, when they found Occasion.*

And, whereas 'tis said by some, *Tho' 'tis to be wished the Constitution of this Church should be the same, as to the calling of Gospel-Ministers, with what it was in Presbyterian Times before the Revolution; yet this is not to be expected now: And for the Church of Scotland to enact, That the People, or that Elders and People should have the Choice of Pastors, without giving more to the Heritors than others, would be the Way to make them our Enemies, and to have the Patronage-Act rivetted and rigorously pressed upon us.* I answer, We are come to a sad Pass indeed; and surely the Church of Scotland is in imminent Danger, if it be not safe for her to act according to her Principles and Constitution in the purest Times of Presbytery, in an Agreeableness to the Practice of the *Apostolick Churches* and the *Primitive Kirk*. But I hope this is only a *Bugbear*; yea, I am perswaded, unless there be among ourselves to represent, that Patronages are not so disagreeable, nor contrary to our Principles and Privileges; 'Tis not to be imagined, our most gracious Sovereign King *George*, nor yet this friendly *British* Parliament, will ever be for pressing the Patronage-Act with Rigor upon us; yea, so far from this, that, if the Church of Scotland shall but address King and Parliament for rescinding the Patronage-Act, declaring as honestly and freely

as did the Commission 1711, in their Address to Queen Anne, and as did the Assembly 1712, in approving every Word of that Address, when they declared, *Patronages had been a Yoke, Burden and Grievance upon this Church since the Reformation, and contrary to our Church-Constitution so well secured to us by the Treaty of Union.* I am perswaded his Majesty King George and this present Parliament would easily go in to rescind that *grievous burdensome Act*, leaving the Church of Scotland to act according to her declared Principles, without robbing her of any of her just Privileges. And for my own Part, as I think the Patronage-Act is as agreeable to the Scriptures of Truth, and to former Acts of Assembly on this Head, as the present Overture; so I had a thousand Times rather it should be rigorously pressed upon us by the Parliament, than that the Church of Scotland should go in to this Overture: For, in the First, she is only passive, whereas in the Last she is sinfully active. And, whereas 'tis said this would make Heritors our Enemies, I answer, If they shall turn Adversaries, for acting according to our known Principles founded on God's infallible Word, the Lord will be our Friend. Should not Heritors do as they would be done by? and would not many Heritors complain of being robbed of their Christian Privilege, should Church or State enact, That henceforth none have Suffrage below Knight-Baronets? Or what Heritor or Feuar of a lesser Estate, but would thus complain, should they enact, That none below Ten, Five, yea, or but Three thousand Merks a Year, should have a Suffrage in the Affair? As what Heritors are there, but look on Patronages as a Grievance, unless it be Patrons themselves? and, if no more should be done at this Time, I humbly think it would be much to the Honour of the Church of Scotland, should she enact, according to the first and second Books of Discipline, and according to the Act of Assembly 1638, 'That
' henceforth no Person be intruded into any Office of
' the Kirk, contrary to the Will of the Congregation
' to which they are appointed.'

If you think meet to return Answer to thir Queries,
be

be pleased to consider what is said in a Piece intituled *Jus populi Divinum* which was printed 1727, in which you may see many other Arguments, for the Confirmation of what is advanced in sundry of their Queries, as there you may find the People's Right to elect their own Pastors, proven at some Length, and the Objections of Opposites handled more largely, and particularly that Objection of the *London Ministers*, their being against the People's having Right to elect their Pastors, where the Contrary is fully proven, tho' they declared against the Independent Notion, that the People's bare Election was enough to make one a Minister of Christ, without the Presbytery's Ordination; while they affirm in the plainest Terms, 'That the People's Election is necessary to make a Person their Minister, tho' not to make him a Minister of Christ.' Hoping you will excuse this Trouble, praying *Zion's King, the great God our Saviour, who hath the seven Spirits of God and the seven Stars*, may privilege his Servants in the ensuing General Assembly, with a *double Portion of the Spirit of Wisdom and Revelation*, that he may *heal all our Backslidings*, scatter all the black Clouds of Wrath which hang over us, that he may fill his Servants with Zeal according to Knowledge, stirring up to contend earnestly for all the Privileges of his Church, that he may give them *one Heart and one Way to fear him*, that he may maintain what he hath wrought for us, and say of his *Zion*, in our covenanted Land, *This is my Rest, and here I will stay*; And this through Grace shall be the Prayer of him who is,

Reverend Sir,

Your, &c.

Kinglassie, March 1st,
1732.

JO. CURRIE.

1 JA 64

Advertisement.

F*US POPULI DIVINUM: Or,*
The People's Divine Right to elect their
Pastors; *Written by the Author of this*
Letter, consisting of eight Chapters. The
1. contains Propositions anent that Subject. 2.
Contains Arguments from Scripture for the
People's Right. 3. The Sentiments of the An-
cients as to this Point. 4. The Judgment of fo-
reign Protestant Churches, and Divines, in the
Affair since the Reformation. 5. The Sentiments
of the Church of Scotland, and of her best Wri-
ters, and also of the State, as to this in former
Times. 6. The Objections of Opposites answered.
7. An Account of the Groundlesness of the Pretences
of the different Pretenders to this Right. 8. Cor-
rolaries deduced from this, That it is the People's
Right to elect their Pastors. To be sold by John
Traill Book-seller, at his Shop in the Parliament-
Clofs, and at John Briggs Merchant his Shop in
the Lucken-booths, where also this Letter anent
the Overture is sold.